

12/04/01
JC885 U.S. PTO

Attorney Docket No. 980792
BOX PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC10 Rec'd PCT/PTO 04 DEC 2001

In re Application of:
DIETRICH, Rango; LINDER, Rudolf
International Application No. PCT/EP00/04958
Serial No. Not Yet Assigned
International Filing Date: 31 May 2000 (31.05.00)
Filed: December 4, 2001

For: **NOVEL PREPARATION AND ADMINISTRATION FORM COMPRISING AN ACID-LABILE ACTIVE COMPOUND**

TRANSMITTAL LETTER


The Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Transmittal Letter To U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371
- (3) International Publication No: WO 00/74654
International Publication Date: 14 December 2000 (14.12.00)
which consists of 21 pages including:
 - 1 Cover sheet containing the Abstract
 - 17 pages Textual Specification
 - 3 pages of 20 claims
 - 0 pages of drawings
- (4) PCT/ISA/210 International Search Report
- (5) PCT/RO/101 Request
- (6) Preliminary Amendment
- (7) Executed Inventor's Declaration
- (8) Executed Assignment with Recordation Cover Sheet
- (8) PCT/IPEA/409 International Preliminary Examination Report
- (9) PCT/IB/304 Notification Concerning Submission of Priority Document
- (10) PCT/IB/308 Notice Informing the Applicant of the Communication of the International Application to the Designated Offices
- (11) PCT/IB/332 Information Concerning Elected Offices Notified of Their Election
- (12) Check No. 15841 \$1,142.00, for Government Filing Fee and 3 additional independent claims fee
- (13) Check No. 15842 \$ 40.00 for Recordation Fee
- (14) Postcard for early notification of serial number

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: 
Gary M. Nath
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Date: December 4, 2001
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GMN/JLM/lis:PCTappl.trans

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: <u>4</u> December 2001 (<u>4</u> .12.2001)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APP. NO. <u>09/980492</u> Not Yet Assigned
INTERNATIONAL APPLICATION NO.: PCT/EP00/04958	INTERNATIONAL FILING DATE: 31 May 2000 (31.05.00)	PRIORITY DATE CLAIMED: 7 June 1999 (07.06.99)
TITLE OF INVENTION: NOVEL PREPARATION AND ADMINISTRATION FORM COMPRISING AN ACID-LABILE ACTIVE COMPOUND		
APPLICANT(S) FOR DO/EO/US: DIETRICH, Rango; LINDER, Rudolf		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <p style="margin-left: 40px;">a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 40px;">d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p>TRANSMITTAL FORM; FEE CALCULATION; PCT/RO/101 REQUEST; INTERNATIONAL PUBLICATION WO 00/74654; INTERNATIONAL PUBLICATION DATE 14 DECEMBER 2000 CONSISTING OF 21 PAGES INCLUDING; 1 COVER SHEET CONTAINING THE ABSTRACT; 17 PAGES TEXTUAL SPECIFICATION, 3 PAGES OF 20 CLAIMS; 0 PAGES OF DRAWINGS; PCT/ISA/210 INTERNATIONAL SEARCH REPORT; PRELIMINARY AMENDMENT; EXECUTED INVENTOR'S DECLARATION; EXECUTED ASSIGNMENT WITH RECORDATION COVER SHEET; PCT/IPEA/409 INTERNATIONAL PRELIMINARY EXAMINATION REPORT; PCT/IB/304 NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT; PCT/IB/308 NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES; PCT/IB/332 INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION.</p>		

CORNEY'S DOCKET NO: 24826

U.S. APPLICATION NO. (if known) not yet assigned 09/980492	INTERNATIONAL APPLICATION NO. PCT/EP00/04958	DATE: <u>4</u> December 2001 (<u>4</u> .12.2001)
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17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO:.....\$890.00 International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1040.00 International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	<u>CALCULATIONS</u> \$ 890.00 \$ 890.00	<u>PTO USE ONLY</u>
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Surcharge of \$130.00 for furnishing the oath or declaration later than <u> 20 </u> <u> 30 </u> months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	
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CLAIMS	NO. FILED	NO. EXTRA	RATE		
TOTAL	20 -20=	0	X \$ 18.00	\$	0.00
INDEPENDENT	6 - 3=	3	X \$ 84.00	\$	252.00
Multiple dependent claims(s) (if applicable)			+ \$260.00	\$	0.00
TOTAL OF ABOVE CALCULATIONS =				\$	1,142.00
Reduction by 1/2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$	1,142.00
SUBTOTAL =				\$	1,142.00
Processing fee of \$130.00 for furnishing the English translation later than <u> 20 </u> <u> 30 </u> months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	0.00
TOTAL NATIONAL FEE =				\$	1,142.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <div style="text-align: right;">\$40.00 per property +</div>				\$	40.00
TOTAL FEES ENCLOSED =				\$	1,182.00
				Amount to be:	
				refunded	\$
				charged	\$